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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,357	12/11/2000	Mio Ozawa	450106-02455	7016
20999	7590	12/15/2004	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			HO, TUAN V	
			ART UNIT	PAPER NUMBER
			2615	
DATE MAILED: 12/15/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/719,357

Applicant(s)

OZAWA ET AL.

Examiner

Tuan V Ho

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,5-8,10-12,13,19,20,21,23,24,25,26,28,29,30,31,37 is/are rejected.
- 7) ☒ Claim(s) 2-4,9,14-18,22,27,32-36 and 38 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/11/00</u> . | 6) <input type="checkbox"/> Other: ____ |

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The Japanese reference 63-3682 cited in the IDS filed 12/11/2000 is not considered since there is no copy of the reference available to the examiner.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "the same external storage medium", line lacks antecedent basis.

It is noted that claim 5 recites "an external storage medium". Claim 6 should depend from claim 5 so as to properly correct the dependency of claim 6.

Art Unit: 2615

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7, 10, 11, 12, 13, 19, 21, 25, 29, 30, 28, 31 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Megrgardt et al (US 5,077,612).

With regard to claim 1, Megrgardt et al discloses in Figs. 1 and 2, a portable electronic picture recording device generating a picture signal and outputting the signal, which comprises photographing means (camera k inherently comprises a combination of a camera lens and image sensor is used to take a picture from an object, col. 3, lines 14-42), picture signal generating means (a signal processing circuit inherently included in camera k is used to process the raw signal from the image sensor into video signal and outputs it into A/D converter w1, col. 3, lines 24-27, storing means (memory device r, col. 4, lines 25), controlling means for converting the picture stored in said storing mans into moving signal picture signal that allows a plurality of discrete still pictures to be correlatively displayed on the time base (control circuit c

Art Unit: 2615

convert still images in scene shooting mode, which are stored in memory r, into moving picture signals of NTSC color television standard so as to display on a TV, col. 4, lines 22-38; noted that blanking and synchronizing signals are added to stored still image signals, col. 4, lines 26-30); and outputting means for outputting the moving and outputting picture signal (third data line d3 or line fb outputs moving image signals to a TV so as to display the image, col. 4, line 31 and line 41).

With regard to claim 7, Megrgardt et al discloses in Fig. 1, an electronic recording device that comprises the operation input means (control input t, col. 4, line 64), and controlling means converts the still picture signal into the moving picture signal corresponding to an input received from said operation inputting means (when operation unit t selects a scene shooting mode, the device takes pictures at the mode and control circuit c processes the pictures corresponding to the scene shooting mode for displaying; in other words, control circuit c converts pictures in the memory in accordance with a input selection of the operation unit c, col. 4, lines 63-67).

With regard to claim 10, claim 10 recites what was discussed with respect to claim 1.

Claim 11 recites what was discussed with respect to claim 7 (noticed that in the scene shooting mode, control unit c

Art Unit: 2615

combines still pictures stored in the memory in a time base so as to convert into moving pictures in NTSC and displays the pictures on a TV, col.4, lines 28+).

With regard to claim 12, Megrgardt et al discloses in Fig. 1, the selected still pictures (operator selection control t selects still pictures via different modes, col. 4, lines 65).

With regard to claim 13, Megrgardt et al disclose the inputting means (operator control unit t), storing means (memory r), and control means (control circuit c).

With regard to claim 19, Megrgardt et al disclose in Fig. 1, the display means (Television w or wd), and still picture signal stored in the storing means (memory r stores still picture signal data under different modes and the still signal picture is displayed on a television; where the TV can display the images stored in the memory).

Method claims 21, 25, 29, 30, 28, 31 and 37 corresponds to apparatus claims 1, 7, 11, 12, 13, 10 and 19 and are analyzed the same as discussed with respect to apparatus claims 21, 25, 29, 30, 28, 31 and 37.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2615

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5, 6, 8, 20, 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Megrgardt et al.

With regard to claim 5, Megrgardt et al does not explicitly disclose any external storage medium. Official Notice is taken for an external storage medium such as a video Cassette recorder, where the VCR can record video images which can be displayed on a TV.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a VCR in the recording device of Megrgardt et al so as to record video images from the camera because the incorporation of a VCR into the system would allow a user to store video images into a large and less expensive recording medium.

With regard to claim 6, as best understood, Furthermore, Megrgardt et al discloses the device that writes the moving picture signal and the still picture signal to the external storage (images taken by the Megrgardt device include single

Art Unit: 2615

picture or scene shooting pictures; where in the combination of the Megrgardt device and VCR, the VCR can record both single picture or scene shooting pictures from the Control circuit c).

With regard to claim 8, Megrgardt et al does not disclose any GIF file format. Official Notice is taken for a process of converting still image signal into a GIF file format.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the control circuit c of Megrgardt et al so as to convert still pictures into GIF file format because the GIF file format is easily to transmit through a system as a standard file format.

With regard to claim 20, Megrgardt et al does not disclose any index display of still images. Official Notice is taken for a display that displays an index such as frame number of a picture.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the control circuit c of Megrgardt et al in order to display an index of a still picture because the modification of the Megrgardt circuit would allow a user to verify the picture sequence more accuracy without any guessing and thereby to improve the efficiency of the camera system.

Method claims 23, 24 and 26 correspond to apparatus claims 5, 6 and 8 and are analyzed the same as discussed with respect to apparatus claims 5, 6 and 8.

6. Claims 2, 3, 4, 9, 14, 15, 16-18, 22, 27, 32, 33, 34, 35, 36 and 38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vogel et al discloses a still video camera that has a movie video function.

Ejima et al discloses an electronic camera that includes a display on which a number of pictures can be selected by a user.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (703) 305-4943. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen, can

Art Unit: 2615

be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.


TUAN HO

Primary Examiner

Art Unit 2615